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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,521	10/12/2001	David S. Allison	0007056-0204/P6024	3955

32615 7590 10/21/2004

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EXAMINER

FOWLKES, ANDRE R

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,521

Applicant(s)

ALLISON, DAVID S.

Examiner

Andre R. Fowlkes

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed 7/29/04.
2. The rejection to claims 7-10, under 35 USC 101 are withdrawn, in view of applicant's amendment.
3. The declaration filed on 7/29/04 under 37 CFR 1.131 is sufficient to overcome the Daly reference.
4. The rejection to claims 1-18, under 35 USC 102(e) is withdrawn, in view of applicant's amendment.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6 and 11-18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Josuttis, "C++ Standard Library: A Tutorial and Reference", Addison Wesley, ISBN: 0-201-37926-0.

As per claim 1, Josuttis discloses a **method for iterating in a dynamically typed programming language** (p. 1:1, "C++", and p. 2:10, "STL Iterators"),
comprising:

- **providing an instance of a class** (p. 3:16, "multiset (class instance)"),
- **calling a special operator of said class** (p. 3:16, "bidirectional iterator (i.e. special operator of the multiset class"),

As per claim 2, the rejection of claim 1 is incorporated and further, Josuttis discloses that **special operator return a list of values** (p. 4:3-4, "Input iterators can ... step forward element-by-element ... (and) return values element wise (a list of values)").

As per claim 3, the rejection of claim 2 is incorporated and further, Josuttis discloses **iterating through said list of values** (p. 4:3, "Input iterators can ... step forward (i.e. iterate through a list of values) element-by-element).

As per claim 4, the rejection of claim 3 is incorporated and further, Josuttis discloses that **said special operator is a foreach operator** (p. 14:3, "The for_each() algorithm (i.e. special operator) is very flexible because it allows you to access, process, and modify each element in many different ways").

As per claim 5, the rejection of claim 1 is incorporated and further, Josuttis discloses that **said special operator is an increment operator** (p. 9:3-4, "Bidirectional iterators are forward iterators that provide the additional ability to iterate backward over the elements. Thus, they provide the decrement (and increment) operator").

As per claim 6, the rejection of claim 1 is incorporated and further, Josuttis discloses that **said special operator is a decrement operator** (p. 9:3-4, "Bidirectional iterators are forward iterators that provide the additional ability to iterate backward over the elements. Thus, they provide the decrement (and increment) operator").

Claims 11 and 12, currently depend from canceled claim 7. The examiner is interpreting claims 11 and 12 as depending from claim 1. As per claims 11 and 12, Josuttis also discloses such claimed limitations as addressed in claims 5 and 6 above, respectively.

As per claims 13-18, this is a computer program product version of the claimed method discussed above, in claims 1-6, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Josuttis's STL iterator (p. 3:1-9:4).

Conclusion

7. After October 25, 2004, the examiner can be reached at new telephone number (571) 272-3697, and the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (703)305-8889. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703)305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ARF

Chameli C-D on
CHAMELI C. DAS
PRIMARY EXAMINER
10/18/04